



Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

The Jewish Quarterly Review.

APRIL, 1892.

SPIRIT AND LETTER IN JUDAISM AND CHRISTIANITY.

—נִיחָזֶה סְפָר וּנְחַזָּה.—“Let us bring the book and see.”

(*Talmudic Saying.*)

AMONG those whom the Mishnah (*Synhedrin*, xi. 1) declares to have forfeited eternal life, the following are enumerated:—He who says that the Resurrection is not taught in the Torah; further, *he who affirms that the Torah does not come from God* (*min-ha-Shamayim*); also the Epikuros. This is immediately followed by, “R. Akiba says, He also who reads in strange books, and he who utters incantations over wounds” (literally “wound”). Although I am here only concerned with the assertion (italicised in the text) regarding the man *who denies the divine origin of the Torah*, I have cited the other dicta as well, because, from their being classed together, it is evident that, as regards their origin, they all belong to one and the same epoch. This can have been no other than the period which is marked on the one hand by the party divisions of the Sadducees, Pharisees and Essenes, and, on the other, by the birth of Christianity. The proof of this statement lies—apart from the impression produced by the collocation of instances—in the reference to the “Epikuros” and the “Strange Books.” Both conceptions point unequivocally to the period in question, and can only be comprehended in connection therewith.

If this view of the matter is kept in mind, then the assertion regarding the denier of the divine origin of the Torah has an interest attaching to that age, which I shall here endeavour to make clear. To this end it is necessary, in the first instance, accurately to define the above declaration, for, taken in the general terms in which it is enunciated, it suffers from a certain indistinctness that opens the door to the most diverse questions. What is to be understood by denial of the divine origin of the Torah? Is it that the Torah was not revealed by God, but is the work of man? This opinion is no doubt included in the statement of the Mishnah, but there is not the least justification for the assumption that in Jewish antiquity such an opinion had ever sprung up and spread so as to necessitate its resistance by the imposition of a penalty. All antiquity, including the Jews, was more inclined to refer extraordinary appearances, marvellous discoveries, teachings and writings, directly to the Deity than to contest the intervention of God in the development of the human race; and it would be an anachronism without parallel to believe that the divine origin of so extraordinary a book as the Torah had to be established by means of a law, and to be protected against the attacks of sceptics and unbelievers by threats of punishment. As a fact the contrary appears from the discussions in Sabb., 30b: it was easier to pronounce in favour of the divine origin of certain writings than successfully to deny such origin to others. It required no little trouble to finally establish the canon and exclude therefrom the numerous apocryphal writings, so readily were people disposed to acknowledge the divine origin of everything for which such a claim was put forth. Accordingly, the denial of the divine origin of the Torah, of which the Mishnah treats, cannot refer to the *contents*, but to the *letter* of the Torah. Its intention is to establish the divine authorship of the *text* of the Torah, and hence the denier of this claim is threatened with the loss of "eternal bliss." In this sense also the statement of the

Mishnah is explained by the Talmud (*Synhedrin*, 99a): He who asserts that the Torah is not from God, or denies the divine authorship of even *one single verse of the Torah*, and affirms that not God but Moses of his own accord pronounced it, is guilty of the transgression referred to in Num. xv. 31, and will incur the punishment of excision thereunto attached.¹ It is now no longer open to doubt that the dictum of the Mishnah has for its object to give a sanction to the verbal text of the Torah, and that on this account it condemns the denial of its divine origin as a sacrilegious act to be avenged by the loss of future bliss.

II.

Herewith, however, the difficulty involved in that dictum is rather increased than removed. While, on the one hand, as I have shown, it was not rendered necessary by any denial of the divine character of the Torah itself, no such attempt ever having been made, there is, on the other hand, still less reason to believe that the divine origin of the wording of the Torah was even questioned. Had any such thing ever occurred, the inviolability of the text of the Torah would have had to be affirmed much more distinctly than has actually been the case,² and it is then hardly likely that people would have been content with a legal declaration of a purely eschatological character, such as the one under consideration or even with the whole Mishnah in which it is found. But *textual criticism*, especially biblical criticism, was unknown to the ancient Jews. This fact is not contradicted by the circumstance that the greatest importance was placed upon the

¹ Maimonides regards as a denier of the Law (כופר ב תורה) *היל תשובה* whosoever says (שאין התורה מעם ר' אפיו פסוק אחר אפיו תיבת אחית).

² The views of the Talmud on this point, mainly attached to our Mishnah, are collected in *מישפחת סופרים* by Rosenfeld (Wilna, 1883), p. 6, *seq.*

Now this state of things is only explicable on the assumption that our Mishnaic dictum, which, according to the explanation of the Talmud, gives especial authority to the letter, was never transmuted into the flesh and blood of the learned world, which circumstance, again, can only be accounted for on the supposition that the assertion of the Mishnah had in view a particular object which was based upon certain contemporary conditions, but which lost its significance in the altered relations of succeeding ages. Upon this object, however, the true light appears to be thrown from a quarter to which I shall now direct the attention of the reader.

IV.

In the second epistle to the Corinthians the Apostle obviously sets himself the task of proving the continuity of the old teaching and the new, or of deriving the latter from the former. One can understand the endeavour to find in the soil of the Old Testament the foundation for the teaching of Christ. Equally natural was it that such an endeavour should incur the charge of falsification. Now to attack an opponent has been from of old a mode of parading one's own innocence; on that account the Apostle levels from his side the charge of falsification against those from whom he had to expect the same accusation against himself. He designates the many (*οἱ πολλοί*), *i.e.*, the Jews, as corrupters of the word of God (ii. 17), and asserts of them that they do not understand the word of God at all, as "even unto this day, when Moses is read, a vail is upon their hearts" (iii. 15). But what guarantee does the Apostle offer for the accuracy of *his* conception of the divine word, *i.e.*, the Old Testament? It is contained in the sentence, "For the letter killeth, but the spirit giveth life" (iii. 6), to which the thesis is subsequently added, "Now the Lord is that Spirit; and where the Spirit of the Lord is, there is liberty" (iii. 17).

We have doubtless before us in these sentences the written precipitate of a mighty turmoil out of which the Pauline doctrine made its way to victory. If, however, we take these oft-quoted words in the simple sense that rightly belongs to them, they lose all point, and sink to the level of a commonplace, which certainly expresses a general truth, but which, on that very account, is not likely to have ever been contradicted. Does any one imagine that the idea that "the Lord is the Spirit" would have been combated by a Jewish contemporary of the Apostle? This can hardly be maintained, as it was chiefly because this same truth was so deeply rooted in the heart of the Jews, that the doctrine of the Incarnation encountered their opposition. But, further, the sentence "the letter killeth but the spirit giveth life" contains in its general sense nothing which would have been disputed by the Jewish contemporaries of the Apostle. This I think I have proved in the foregoing argument. We have seen that the Tannaim and the Amoraim used, as it were, to play ball with the letter of the Bible for the sake of the spirit, and I may here recall the Hagadah above referred to, that at the breaking of the Tables of the Covenant the letters flew into the air. What can this Hagadah mean, if any meaning is to be assigned to it at all, but that it is not the letter of the Bible but the spirit that is of value? I need not, in order to establish my contention that in Judaism undisputed precedence has at all times been accorded to the spirit over the letter, appeal to Hagadic utterances, the interpretation of which is a matter of individual taste. The history of biblical exegesis from the oldest times furnishes irrefutable proofs of this fact. How could the *jus talionis* (Exodus xxi. 24 *seq.*) have been set aside, how could the operations of the year of release (Deut. xv. 2) have been annulled, if the letter and not the spirit of the Torah had been clung to? This is also proved by the well-known traditional explanation of passages like Exodus xxi. 19, xxii. 1; Deut. xxii. 17, etc., all of which have reference to the administration

of justice, and on that account demanded the subjection of the letter to the spirit. If then these assertions of the Apostle do not in their general acceptation introduce anything which his Jewish contemporaries would not have freely conceded, one cannot understand the irritation which forces him to speak of the "vail of Moses" as of a bandage which prevents the eyes of the Jews from perceiving the truth, or the spirit of the word of God. This very irritation is an evidence, as is also the whole treatment of the subject in the Epistle to the Corinthians, that the Apostle's assertions are in no way intended to be taken in their general, purely doctrinal sense. As little do they bear this meaning as does our Mishnaic dictum which deprives of eternal bliss him who denies the divine origin of the verbal text of the Torah. The two declarations serve rather to mark the respective standpoints of two opposite parties in that conflict of opinion, which resulted in the separation of Christianity from Judaism; they can, therefore, only be explained by the light they mutually throw on each other, as I shall now endeavour to show.

V.

Where, in the New Testament, the person, life and teaching of Jesus are read into the Old, or are drawn out from it, it is by the employment of *symbolism and allegory* that this is accomplished, neither of which was foreign to Jewish modes of thought, the Hagadah itself making abundant use of both methods. The latter (the formula which indicates that a Hagadic observation was based upon a Biblical passage), thus finds its New Testament equivalent in the *καθὼς γέγραπται* ("as it is written"), or *ἵνα πληρωθῇ* ("in order that it might be fulfilled"), by which phrases certain passages of the Bible are directly connected with events in the life of Jesus. This method of exegesis was, however, the more dangerous, as being

hallowed by tradition, and beloved by the people. There is likewise no doubt that many Hagadahs, with Christian colouring, were written down, and became the common property of the people, even as there is no room to doubt that these Hagadahs, which, at the present time form a constituent part of the New Testament, led directly to an opposition against the Hagadah itself in the world of Jewish learning. We are told of scholars who most severely condemned the writing down as well as the study of Hagadahs, and who boasted of never having looked into Hagadic books.¹ However this and similar statements may be explained, it is clear that they can all be referred, partly to the recognition of the danger in which the symbolism and allegory of the Hagadah involved Judaism by favouring the intrusion of Christianity, and partly to the arrangements designed to obviate this danger. It is surely not by mere accident that R. Akiba, who in our Mishnah denies future bliss to one who reads in *strange books*, did not devote himself to the Hagadah, and perhaps even condemned it (*Synhedrin*, 38b, 67b; *Chagigah*, 14a). Akiba, moreover, was certainly not the first to adopt this opinion, his utterance in the Mishnah appearing only as supplementary to the preceding remarks; but, as I shall show, his name stands as representative of that mode of regarding the Scriptures, by means of which the intrusion of Christian elements could best be guarded against, and which emphasized the *letter* as the foe of all symbolism and allegory. The two latter designate the *spirit* of which the apostle, in the Second Epistle to the Corinthians (iii. 6), says that God "hath made us able ministers of the New Testament, not of the letter, but of the spirit." We only need the juxtaposition of the Jewish Tanna and the Christian Apostle in order to perceive how much depends upon the accentuation of the spirit. The Apostle was concerned, not with the spirit of the Biblical text, but with the Christian

¹ Comp. Zunz, *Gottesdienstliche Vorträge*, p. 335, and Rapoport, *Erech Millin*, article פְּנִים, § 3, *seq.*

established. Although R. Akiba did not make the remark just suggested, nevertheless his whole doctrinal system is based upon the accentuation of the letter, and it is well known that a Midrash¹ having reference to this subject is assigned to him. This system is not only calculated to unite the oral with the written law, and to obtain rules for new juristic cases²—although it must be admitted that it has been abundantly and even excessively used in this direction—but it was founded in the first instance with the object of providing in the letter a bulwark against Christian symbolism and legend. To this object point also certain mystical utterances, such as (*Sabb.*, 89a) that God provided the letter with crowns, etc., as well as the saying frequently to be met with in later Jewish writings, that “Letters make wise,”³ the origin of which, it must be admitted, cannot be traced in Jewish literature. But the evidences traceable in that literature, and our Mishnah above all, suffice to prove that in the history of the origin of Christianity it was the letter which was made to enter the field, for the spirit’s sake, against the spirit emphasised by Paul.

M. GÜDEMANN.

¹ אותיות ר' עקיבא

² Comp. Grätz, *History*, iv. 2, p. 56, *seq.*

³ אותיות מהכימות Comp. Dukes’ *Zur Rabinischen Sprachkunde*, p. 91.